

For Court Use Only (Seal)

## 2015 KANSAS SENTENCING GUIDELINES JOURNAL ENTRY OF PROBATION VIOLATION HEARING

SECTION I. CASE IDENTIFYING INFORMATION			1. Transaction No.	
2. STATE v.		<input type="checkbox"/> Male <input type="checkbox"/> Female	3. Court O.R.I. Number	4. K.B.I. Number
5. County	6. Court Case Number	7. Judge at Violation Hearing		8. Date of Violation Hearing
9. Defense Counsel at Violation Proceeding: <input type="checkbox"/> Appointed <input type="checkbox"/> Retained <input type="checkbox"/> Self <input type="checkbox"/> Waived Orally <input type="checkbox"/> Waived in Writing				
10. Agency Requesting Hearing: <input type="checkbox"/> Court Services <input type="checkbox"/> Community Corrections				
11. Reason for Violation Hearing: <input type="checkbox"/> Condition Violation <input type="checkbox"/> Not Amenable to Treatment <input type="checkbox"/> New Conviction <input type="checkbox"/> K.S.A. 21-6824 ("SB 123") Intentional Noncompliance				
SECTION II. ORIGINAL CONVICTION AND SENTENCE INFORMATION				
1. Original Sentencing Date:		3. Name of Original Sentencing Judge:		
2. Original Journal Entry: <input type="checkbox"/> Attached				
4. Name of PRIMARY Offense of Conviction: Count No.				
5. If Drug Offense (Indicate statute for controlled substance): <input type="checkbox"/> 65-4105 <input type="checkbox"/> 65-4107 <input type="checkbox"/> 65-4109 <input type="checkbox"/> 65-4111 <input type="checkbox"/> 65-4113 Name of Drug: Amount of Drug (IF Distribution Offense): <input type="checkbox"/> w/in 1,000 ft of school				
6. K.S.A., Title, Section, Subsection(s): <input type="checkbox"/> Attempt (K.S.A. 21-5301) <input type="checkbox"/> Conspiracy (K.S.A. 21-5302) <input type="checkbox"/> Solicitation (K.S.A. 21-5303)				
7. Grade of Offense: (Check one in each row.) <input type="checkbox"/> Felony, Severity Level _____ <input type="checkbox"/> Misdemeanor, Class _____ <input type="checkbox"/> Person <input type="checkbox"/> Nonperson				
8. Offense Category: <input type="checkbox"/> Nondrug <input type="checkbox"/> Drug <input type="checkbox"/> Nongrid				
9. Criminal History Classification: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I				
10. Imprisonment Term Pronounced for This Offense: _____ months				
11. Postrelease Supervision: <input type="checkbox"/> 12 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> Lifetime Postrelease <input type="checkbox"/> Parole <input type="checkbox"/> No Postrelease (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e)) <input type="checkbox"/> Lifetime Parole				
12. Probation Term: <input type="checkbox"/> 12 months <input type="checkbox"/> 18 months <input type="checkbox"/> 24 months <input type="checkbox"/> 36 months <input type="checkbox"/> 60 months <input type="checkbox"/> Drug Treatment for up to 18 months. K.S.A. 21-6824. <input type="checkbox"/> Other: Term: _____ months <input type="checkbox"/> Extended Period under K.S.A. 21-6608(c)(5) for: _____ months				
13. Prison Term: KDOC _____ months				

PLEASE USE AN ADDITIONAL OFFENSES PAGE FOR ADDITIONAL OFFENSES OF CONVICTION

**SECTION III. VIOLATION SANCTION HISTORY**

☐ Prior "Quick Dip" county jail sanctions imposed (K.S.A. 22-3716(c)(1)(B)):

1<sup>st</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 2<sup>nd</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 3<sup>rd</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 4<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 5<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 6<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 7<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 8<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court  
 9<sup>th</sup> \_\_\_\_\_ days imposed by ☐ Supervising officer ☐ Court

☐ 120 days in KDOC (K.S.A. 22-3716(c)(1)(C))  
☐ 180 days in KDOC (K.S.A. 22-3716(c)(1)(D))  
 Comments (including other jail sanction history):

**SECTION IV. DISPOSITION OF THIS VIOLATION HEARING**

1. **Disposition:** ☐ No Violation Determined ☐ The court finds sufficient evidence and grounds to show and orders:

☐ **Violations Determined, Probation Not Revoked But:**

- ☐ Probation Conditions Modified? ☐ Yes ☐ No (If Yes, describe conditions in box #4)  
☐ Ordered to Community Corrections Supervision  
☐ Probation Extended for \_\_\_\_\_ months  
☐ Drug Treatment for up to 18 months. K.S.A. 21-6824, ("SB123")  
☐ Violation Sanctions Ordered: Quick Dip: ☐ 2 day ☐ 3 day KDOC Prison Sanction: ☐ 120 days ☐ 180 days  
☐ County Jail up to 60 days \_\_\_\_\_ (may not be imposed at same time as other sanctions - K.S.A. 2014 Supp. 22-3716(c)(11))

☐ **Violation Determined, Probation Revoked and Defendant Ordered to Serve:**

- ☐ Original Sentence ☐ Modified Sentence \_\_\_\_\_ months  
☐ Court revoked because defendant absconded or committed new crime. (K.S.A. 22-3716(c)(8)) – state reasons in box #3.  
☐ Court revoked because of public safety or offender welfare finding. (K.S.A. 22-3716(c)(9)) – state reasons in comment box.  
☐ No Postrelease Period (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e))

\*\*Assigned to Conservation Camp (K.S.A. 21-6604(g))

\*\* KDOC Drug Treatment Program (minimum 120 days) \*\*(These options are included in statute, but are unavailable)

**Comments:**

2. **BIDS FEES ORDERED:**

Application Fee Assessed \$\_\_\_\_\_ (Per K.S.A. 22-4529, \$100 unless reduced or waived for "manifest hardship")

Attorney Fee Assessed \$\_\_\_\_\_ (Per K.S.A. 22-4513)

3. **If Probation was Revoked, Modified or Extended for any Reason, Please Provide a Brief Description of the Violation(s):**

4. **If Probation was Modified or Extended for any Reason, Please Provide a Brief Description of any New Conditions Imposed:**

**SECTION IV. DISPOSITION OF THIS VIOLATION HEARING (cont.)**

5. **Incarceration Credit:** Jail Credit Awarded at Original Sentencing \_\_\_\_\_  
 + Credit Actually Awarded While on Probation for Current Crime (to include any KDOC violation sanction time) \_\_\_\_\_  
 = Total Number of Days of Credit Actually Awarded \_\_\_\_\_

**Revocation Date:** \_\_\_\_\_ **- Total Number of Days of Credit Actually Awarded** \_\_\_\_\_ **= SENTENCE BEGINS DATE:** \_\_\_\_\_  
 m/d/yyyy m/d/yyyy

Enter dates (m/d/yy only) and days of credit potentially available for this case and check "A" if the days are actually awarded, or "N" if the days are not awarded by the court. (attach additional pages if necessary)

*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N
*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N	*Location-	From:	To:	=	Days	<input type="checkbox"/> A	<input type="checkbox"/> N

\*Enter appropriate letters to indicate the type of location where credit may have been earned:

**J=Jail TL=Treatment (Locked) TU=Treatment (Unlocked) RL=Residential (Locked) RU=Residential (Unlocked) HA=House Arrest**

6. **Prior Case(s) to Which the Current Sentence is to Run Concurrent or Consecutive:**

Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/> or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/> or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/> or Consecutive <input type="checkbox"/>
Case No. _____	County _____	Sentence _____	Concurrent <input type="checkbox"/> or Consecutive <input type="checkbox"/>

Others: \_\_\_\_\_

**SECTION V. SIGNATURES**

1. **Judge's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
 Signed: \_\_\_\_\_  
 Printed: \_\_\_\_\_

2. **Prosecuting Attorney:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
 Signed: \_\_\_\_\_  
 Printed: \_\_\_\_\_  
 Supreme Court Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_

3. **Defense Attorney:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
 Signed: \_\_\_\_\_  
 Printed: \_\_\_\_\_  
 Supreme Court Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Phone No: \_\_\_\_\_

**THIS FORM MUST BE ACCOMPANIED BY A COPY OF THE ORIGINAL JOURNAL ENTRY OF JUDGMENT**

**KSGA JOURNAL ENTRY OF PROBATION VIOLATION HEARING ADDITIONAL OFFENSES PAGE**1. **Name of Additional Offense of Conviction:**

Count No. \_\_\_\_\_

2. **K.S.A., Title, Section, Subsection(s):**☐ **Attempt** (K.S.A. 21-5301) ☐ **Conspiracy** (K.S.A. 21-5302) ☐ **Solicitation** (K.S.A. 21-5303)3. **Grade of Offense:** (Check one in each row.)☐ **Felony, Severity Level** \_\_\_\_\_☐ **Misdemeanor, Class** \_\_\_\_\_☐ **Person**☐ **Nonperson**4. **Offense Category:**☐ **Nondrug**☐ **Drug**☐ **Nongrid**5. **Imprisonment Term Pronounced for This Offense:** \_\_\_\_\_ months6. **Postrelease Supervision:**☐ 12 months☐ 24 months☐ 36 months☐ 60 months☐ **Lifetime Postrelease**☐ **Parole**☐ **No Postrelease** (only applies to crimes committed prior to July 1, 2013 - see K.S.A. 2012 Supp. 22-3716(e))7. **Consecutive/Concurrent:**☐ **Concurrent**

To Count(s): \_\_\_\_\_

☐ **Consecutive**

To Count(s): \_\_\_\_\_

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Count No. \_\_\_\_\_

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To Count(s): \_\_\_\_\_

☐ **Consecutive**

To Count(s): \_\_\_\_\_

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Count No. \_\_\_\_\_

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To Count(s): \_\_\_\_\_

☐ **Consecutive**

To Count(s): \_\_\_\_\_

**Additional Comments:**